

**TOWN OF LOS GATOS  
CALIFORNIA  
TOWN COUNCIL/PARKING AUTHORITY  
JOINT REDEVELOPMENT AGENCY  
MARCH 1, 2004 / MINUTES**

Los Gatos Civic Center  
110 E. Main Street  
Los Gatos, CA 95030

TIME	ITEM	ACTION ON ITEM
7:00 PM	<b>TOWN COUNCIL</b>	The Town Council/Parking Authority/Redevelopment Agency of the Town of Los Gatos met in the Council Chambers of the Town Hall, 110 East Main Street, at 7:00 p.m., Monday, March 1, 2004, <b>in a joint regular session.</b>
7:01 PM	<b>ROLL CALL</b>	Present: Sandy Decker, Diane McNutt, Joe Pirzynski, Mike Wasserman and Mayor/Chairman Glickman. Absent: None
7:02 PM	<b>PLEDGE OF ALLEGIANCE</b>	The audience was invited to participate in the Pledge of Allegiance.
7:03 PM	<b>CLOSED SESSION</b>	Town Attorney, Orry Korb, reported that Council had not met in Closed Session this evening.
7:04 PM	<b>CONSENT ITEMS</b>	<b>CONSENT ITEMS</b>
	<b>ITEM 1</b>  <b>SCHEDULE OF PUBLIC HEARINGS</b>	<b>Motion by Mr. Pirzynski</b> , seconded by Mrs. Decker, that Council accept and file informational report regarding currently scheduled public hearings. Carried unanimously. (01.28)
	<b>ITEM 2</b>  <b>PAYROLL RATIFICATION FOR JANUARY AND FEBRUARY 2004</b>	<b>Motion by Mr. Pirzynski</b> , seconded by Mrs. Decker, that Council ratify the check register for payroll of February 1, 2004 through February 14, 2004 paid on February 20, 2004 in the amount of \$522,046.08. Carried unanimously. (02.V)

TIME	ITEM	ACTION ON ITEM
7:04 PM	CONSENT ITEMS	CONSENT ITEMS CONTINUED
	<b>ITEM 3 ACCOUNTS PAYABLE RATIFICATION</b>	<b>Motion by Mr. Pirzynski</b> , seconded by Mrs. Decker, that Council ratify the check register for accounts payable invoices paid on February 13, 2004 and February 20, 2004 in the amount of \$519,765.30. Carried unanimously. (03.V)
	<b>ITEM 4 COUNCIL/AGENCY SCHEDULE 2003-04</b>	<b>Motion by Mr. Pirzynski</b> , seconded by Mrs. Decker, that Council approve amended Town Council/Redevelopment Agency Meeting Schedule for 2003-2004 Fiscal Year. Carried unanimously. (04.28)
	<b>ITEM 5 PROJECT 0210A RETAINING WALL REPLACEMENT CASEY CONSTRUCTION  Resolution 2004-20</b>	<b>Motion by Mr. Pirzynski</b> , seconded by Mrs. Decker, that Council adopt Resolution 2004-20 entitled, <u><b>RESOLUTION OF TOWN OF LOS GATOS ACCEPTING WORK OF CASEY CONSTRUCTION COMPANY FOR PROJECT 0210A - RETAINING WALL REPLACEMENT AND AUTHORIZING THE TOWN MANAGER TO EXECUTE CERTIFICATE OF ACCEPTANCE AND NOTICE OF COMPLETION FOR RECORDING BY TOWN CLERK.</b></u> Carried unanimously. (05.24)
	<b>ITEM 6 PROJECT 0211 LOS GATOS CREEK BRIDGE SEISMIC RETROFIT ANDERSON PACIFIC  Resolution 2004-21</b>	<b>Motion by Mr. Pirzynski</b> , seconded by Mrs. Decker, that Council adopt Resolution 2004-21 entitled, <u><b>RESOLUTION OF TOWN OF LOS GATOS ACCEPTING WORK OF ANDERSON PACIFIC ENGINEERING CONSTRUCTION, INC. FOR PROJECT 0211 - LOS GATOS CREEK BRIDGE SEISMIC RETROFIT AND AUTHORIZING THE TOWN MANAGER TO EXECUTE CERTIFICATE OF ACCEPTANCE AND NOTICE OF COMPLETION FOR RECORDING BY TOWN CLERK.</b></u> Carried unanimously. (06.24)
	<b>ITEM 7 SCHOOL CROSSING GUARD SERVICES</b>	<b>CONSENT ITEM</b>  This item has been pulled and will be heard after Item 13.
	<b>ITEM 8 ORDINANCE ADMINISTRATIVE CITATION AND REMEDIES  Ordinance 2127</b>	<b>Motion by Mr. Pirzynski</b> , seconded by Mrs. Decker, that Council adopt Ordinance 2127 entitled, <u><b>ORDINANCE OF THE TOWN OF LOS GATOS AMENDING CHAPTER 1 OF THE TOWN OF LOS GATOS MUNICIPAL CODE AND ADDING ARTICLE II TO CHAPTER 1 OF THE TOWN OF LOS GATOS TOWN CODE ESTABLISHING AN ADMINISTRATIVE CITATION AND ADMINISTRATIVE REMEDIES PROCESS,</b></u> which was introduced at the Council meeting of February 17, 2004. Carried unanimously. (08.38)

TIME	ITEM	ACTION ON ITEM
7:04	REDEVELOPMENT	REDEVELOPMENT AGENCY AGENDA
	ITEM 9 ACCOUNTS PAYABLE RATIFICATION	<b>Motion by Mr. Pirzynski</b> , seconded by Mrs. Decker, that the Agency ratify the check register for accounts payable invoices paid on February 13, 2004 and February 20, 2004 in the amount of \$793.71. Carried unanimously. (09.V)
7:04	COUNCIL/AGENCY	TOWN COUNCIL/REDEVELOPMENT AGENCY
	ITEM 10 MINUTES FEBRUARY 17, 2004	<b>Motion by Mr. Pirzynski</b> , seconded by Mrs. Decker, that the Town Council/Redevelopment Agency approve the Minutes of the Joint Regular Meeting February 17, 2004 as submitted. Carried unanimously. (10.V)
	ITEM 11  PROJECT 0344 DOWNTOWN ALLEY IMPROVEMENTS Resolution 2004-22 Resolution 2004-03RD	<b>Motion by Mr. Pirzynski</b> , seconded by Mrs. Decker, that Council adopt Resolutions 2004-22 & 2004-03RD entitled, <b><u>RESOLUTION OF THE TOWN COUNCIL/REDEVELOPMENT AGENCY OF THE TOWN OF LOS GATOS APPROVING THE PLANS AND SPECIFICATIONS FOR PROJECT 0344 - DOWNTOWN ALLEY IMPROVEMENTS AND AUTHORIZING STAFF TO ADVERTISE THE PROJECT FOR BIDS.</u></b> Carried unanimously. (11.24)
7:04	COMMUNICATIONS	VERBAL COMMUNICATIONS
7:04	SPEAKER	<b>Paul Dubois</b> spoke of cost savings possibilities within the Civic Center and throughout other municipal operations. He focused on energy reductions wherever possible and outsourcing for specific functions that might lend themselves to that process.
7:07	SPEAKER	<b>Anna Bloom</b> asked that Brooklyn Avenue be renamed to Sorenson Avenue in memory of the Industrial Arts teacher, Peter Sorenson, who had taught at that location for 35 years. <b>Councilmember Sandy Decker</b> asked that staff look into this request and explore what can be done regarding this suggestion.
7:13	SPEAKER	<b>Ray Davis</b> spoke of the election to take place the following day; reminded Council that they could collect Park Dedication Fees on each new development if they so chose; and spoke again concerning Safe Routes to School programs in Los Gatos.
7:16	SPEAKER	<b>Barry Cinnamon</b> , President of Akeena Solar, asked when the Town's solar guidelines would be completed and in place.

TIME	ITEM	ACTION ON ITEM
	<b>PUBLIC HEARING</b>	<b>PUBLIC HEARING</b>
7:20 PM	<b>ITEM 12 HICKS ROAD 17101 “GREENBRIAR”</b>	<b>HICKS ROAD 17101/GREENBRIAR/APPEAL</b> Mayor Glickman announced that this was the time and place duly noticed for holding a public hearing to consider an appeal of the decision of the Planning Commission approving 13 new single family residences on property zoned HR-5:PD. Architecture and Site Applications S-02-088 through S-02-100. APN 537-18-001, 567-23-041, 567-24-008. Property Location: 17101 Hicks Road. Property Owner: The Dagney Group, LLC. Applicant: Greenbriar Homes Communities, Inc. Appellants: Greenbriar Homes Communities, Inc. and Mike Ajlouny
7:21	<b>STAFF REPORT</b>	<b>Bud Lortz</b> , Director of Community Development, reported on the history of this application and the work that has been done with staff and neighbors.
7:26	<b>ITEM 12 SPEAKERS</b>	<b>SPEAKERS ON ITEM 12 – HICKS ROAD/GREENBRIAR</b>
7:26	<b>APPLICANT/ APPELLANT</b>	<b>Katja Kamangar</b> spoke of the approved Planned Development, the square footage, the additional garage space and the entry wall. She noted that approvals had been received before the Hillside Standards were completed. She spoke of the average size homes in the neighborhood, the parking on Shannon Road and the need for the garage space to act as storage area for the homes.
7:47	<b>APPELLANT</b>	<b>Mike Ajlouny</b> spoke of the two story home that would block his view, of the square footage of the homes, the telephone poles on Hicks Road that should be undergrounded, the parking area behind his home and the need for himself and neighbors to be connected to utilities when this project is built.
8:03	“	<b>Joann Richardson</b> spoke in support of the proposal.
8:05	“	<b>Bill Sweitzer</b> spoke of the access to trails and the connecting of existing trails (his own trail in particular) to the new trails. He asked that approval come with specific definition of the trails. He also mentioned the impact of the two story homes in blocking views and reflecting too much light in the valley.
8:13	“	<b>Dave Bunt</b> spoke of the older subdivisions in Los Gatos and noted that Greenbriar was knowledgeable concerning requirements and compliance. He supports the current proposal.

TIME	ITEM	ACTION ON ITEM
	<b>ITEM 12 SPEAKERS</b>	<b>SPEAKERS ON ITEM 12 - HICKS ROAD GREENBRIER CONTINUED</b>
8:14	“	<b>Julie Ireland</b> supported the project with the well designed garages and asked that it be approved.
8:17	“	<b>John Ireland</b> supported the development and requested that it be moved along as soon as possible.
8:20	“	<b>Carrie Perzow</b> spoke on the parking issue on Shannon Road and the security concerns of the trail entrance being across the street from her home.
8:30	“	<b>Kim McBeth</b> spoke on the rural aspects of the project and the need for locks on the gates at night due to teenage loitering. She also asked for the ability to hook up to water and electricity when the project is near completion.
8:34	“	<b>Michael Kokinos</b> spoke of his view and the project's impacts. He also mentioned the safety of the turnout and all the dumping that goes on in this area. He asked that the developer address these issues also and help to come to some solutions with the help of Town staff and neighbors.
8:37	“	<b>Florian Barth</b> spoke concerning the size of the garages and requested that these homes come equipped with three garages so as to store the vehicles and other paraphernalia that these homes will generate.
8:40	“	<b>Ray Davis</b> spoke on the size of the project and the height, bulk and mass of additional service buildings and garages to the basic home structure. He noted need to review traffic safety on Shannon and Hicks and spoke of plans for slab foundations rather than pier supports.
8:45	“	<b>Michael Burke</b> addressed people's ability to house horses on their property and of having environmentally friendly fences for animals.
	<b>APPLICANT</b>	<p><b>Katja Kamangar</b> reaffirmed plans for the project in answering concerns of audience and Council as follows:</p> <ul style="list-style-type: none"> <li>* There will be parking off of Shannon Road so that people do not have to park on Shannon or Hicks to use the trails.</li> <li>* There will be ballards for the fire trucks to get through but people can walk to the trails and park off of Hicks and Shannon.</li> <li>* The trail connection will be from Shweitzer's property as it is developed to the topography of the land.</li> <li>* The entry wall will be maintained to give identity to the community.</li> </ul>

TIME	ITEM	ACTION ON ITEM
	<b>ITEM 12 SPEAKERS</b>	<b>SPEAKERS ON ITEM 12 - HICKS ROAD GREENBRIER CONTINUED</b>
8:55	<b>APPLICANT CONTINUED</b>	<p><b>Katja Kamangar</b> (Applicant continued)</p> <ul style="list-style-type: none"> <li>* The developer will grant utility easements at no cost to the neighbors, but the neighbors will have to pay for the installation.</li> <li>* The minimum and maximum square footage are 4,650 to 4,850 for the homes.</li> <li>* The garages were called out separately and were not to be included in the square footage of the homes.</li> </ul>
9:08	<b>APPELLANT CONTINUED</b>	<p><b>Mike Ajlouny</b> asked for the following:</p> <ul style="list-style-type: none"> <li>* That the parking pad for the trail access be located in another location.</li> <li>* Connections to the utilities be covered by the developer at this time or it will never be possible for the neighbors to access at a later date.</li> <li>* Switch the home that is impacting his view to the other side of the building site.</li> </ul>
9:16	<b>ITEM 12</b>	<p><b>CLOSED PUBLIC HEARING</b></p> <p><b>Mayor Glickman</b> closed the public hearing.</p>
	<b>1ST MOTION</b>	<p><b>Motion by Mr. Pirzynski</b>, seconded by Mrs. Decker, to grant the appeal of the Greenbriar development and approve the application with the following conditions: Garage Size shall be no more than 799 square feet to accommodate a 3 car attached garage; The rock wall feature will remain as an entrance piece without any signage being added to it thereby allowing the development to appear to be a part of the whole neighborhood; The plans for the horse trail and parking area to return to Council as informational item; Utilities will be extended to the edge of the project at the neighbors request but the cost will be borne by the neighbors. Police to review concerns about vandalism and garbage dumping, measures taken to modify traffic safety problems, and muted lighting in the area to be considered. Carried unanimously.</p>
9:17 PM	<b>COUNCIL COMMENTS</b>	<p><b>Council Comments:</b></p> <ul style="list-style-type: none"> <li>* The accumulation of storage sheds, covered patios, trellises to hide household items are less acceptable than an additional garage.</li> <li>* Trail connected to Sweitzers property seems reasonable.</li> <li>* Bridge over creek is desirable.</li> <li>* Horse structures and animal friendly fences to be considered.</li> <li>* Horse boarding can be done at Sweitzer's.</li> </ul>

TIME	ITEM	ACTION ON ITEM
	<b>ITEM 12</b>	<b>ITEM 12 - HICKS ROAD GREENBRIER - CONTINUED</b>
9:25 PM	<b>COUNCIL COMMENTS CONTINUED</b>	<b>Council Comments Cont:</b> * Details of agreements to connect neighbors to the project utility lines to be negotiated * Parking lot to be accessible to horse trailers. * Thought to be taken on discouraging dumping in this area. * Three car attached garage can be 600 square feet.
9:29 PM	<b>COUNCIL CONSIDERATIONS DURING MOTION AND DISCUSSION</b>	<b>MOTION ON THE FLOOR</b> <b>COUNCIL CONSIDERATIONS</b> * Limit size of garages to 795-799 square feet. * Utility hook ups be made available to neighbors with easements granted to the closest location to facilitate the process. * Neighbors to bear cost of the utility connections. * Street lighting be kept muted. * Designed horse trail will return to Council for review. * Police Chief and Director of Public Works hold a neighborhood meeting regarding trail, parking issues, safety issues and traffic concerns. * Move the second story on Lot 12.
9:58 PM	<b>2ND MOTION</b>  <b>ITEM 12</b>	<b>Motion by Mr. Pirzynski</b> , seconded by Mr. Glickman, to partially accept the appeal of Mr. Ajlouny by adjusting the house plans for Lot 12 as offered by the applicant. His first five requests are addressed within the first motion. All other items in his appeal are denied on the basis that the Planning Commission did not err. Carried unanimously.
10:05 PM	<b>ITEM 13</b>  <b>PUBLIC HEARING</b>  <b>BUILDING PERMIT FEES</b>	<b>BUILDING PERMIT FEES/COMPREHENSIVE FEE SCHEDULE/VALUATION OF BUILDING CONSTRUCTION</b>  Mayor Glickman announced that this was the time and place duly noticed for holding a public hearing to consider adopting resolution amending the Town of Los Gatos Comprehensive Fee Schedule establishing a multiplier for calculating the valuation of building construction which is used to determine building permit fees.  <b>Bud Lortz</b> , Community Development Director, gave an overview of the services offered by the Town in completing the reviews of development plans and considerations for building in this community.  No one from the audience addressed this issue during the public hearing. (Continued on next page)

TIME	ITEM	ACTION ON ITEM
10:05 PM	<b>ITEM 13</b>  <b>MOTION</b>  <b>Resolution 2004-24</b>	<p align="center"><b>BUILDING PERMIT FEES COMPREHENSIVE FEE SCHEDULE CONTINUED</b></p> <p><b>Motion by Mr. Pirzynski</b>, seconded by Mr. Wasserman, that Council adopt Resolution 2004-24 entitled, <b><u>RESOLUTION OF TOWN OF LOS GATOS AMENDING THE TOWN OF LOS GATOS COMPREHENSIVE FEE SCHEDULE ESTABLISHING A MULTIPLIER FOR CALCULATING THE VALUATION OF BUILDING CONSTRUCTION WHICH IS USED TO DETERMINE BUILDING FEES</u></b>, and which allows the Town to continue the level of service which the community has become accustomed to receiving. Carried unanimously. (13.38)</p>
10:20 PM	<b>CONSENT ITEM 7</b>	<p align="center"><b><u>CONSENT ITEM CONTINUED</u></b></p> <p><b>Item 7 was pulled from the consent calendar</b></p>
10:20 PM	<b>ITEM 7</b>  <b>SPEAKER</b>	<p align="center"><b>SCHOOL CROSSING GUARD SERVICES ALL CITY MANAGEMENT SERVICES, INC.</b></p> <p><b>Ray Davis</b> spoke of implementing the crossing guard service as soon as possible at various schools in town, and focused his comments on the pedestrian crossings at Shannon Road and Los Gatos Boulevard.</p>
10:25 PM	<b>MOTION ITEM 7</b>  <b>CROSSING GUARDS</b>  <b>Resolution 2004-23</b>	<p><b>Motion by Mr. Wasserman</b>, seconded by Mr. Pirzynski, that Council adopt Resolution 2004-23 entitled, <b><u>RESOLUTION OF TOWN OF LOS GATOS AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AMENDMENT TO AGREEMENT WITH ALL CITY MANAGEMENT SERVICES, INC. TO PROVIDE SCHOOL CROSSING GUARD SERVICES</u></b>. Carried unanimously. (07.41)</p>
	<b>OTHER BUSINESS</b>	<b>OTHER BUSINESS</b>
	<b>ITEM 14</b>	<p align="center"><b>RENTAL AND OTHER LANDLORD/TENANT DISPUTES RENTAL DISPUTE RESOLUTION REGULATIONS</b></p>
10:27 PM	<b>ITEM 14</b>  <b>RENTAL REGULATIONS</b>	<p>Mayor Glickman noted that this was the time and place so noticed to introduce ordinance amending the Los Gatos Town Code Chapter 14, Article VIII, rental and other landlord/tenant disputes; and adopt revised rental dispute resolution regulations.</p>

TIME	ITEM	ACTION ON ITEM
	<b>SPEAKER</b>  <b>ITEM 14</b>	<b>Gerry Mirassou</b> , representing the Rental Advisory Committee, spoke of the work done by that committee on the landlord/tenant dispute ordinance and the feelings of satisfaction with the finished document that the committee had.
	<b>COUNCIL CONSENSUS</b>	Council congratulated the committee for its work and the excellent report and for the clarity of the policy's purpose.
<b>10:30 PM</b>	<b>TITLE READ</b>	The Town Clerk read the Title of the Proposed Ordinance.
	<b>READING WAIVED</b>	<b>Motion by Mr. Glickman</b> , seconded by Mrs. Decker, to waive the reading of the Proposed Ordinance. Carried unanimously.
<b>10:30 PM</b>	<b>ORDINANCE INTRODUCTION</b>  <b>ITEM 14</b>	<b>Motion by Mr. Glickman</b> , seconded by Mr. Wasserman, that Council introduce Proposed Ordinance entitled, <b><u>ORDINANCE AMENDING THE TOWN OF LOS GATOS MUNICIPAL CODE CHAPTER 14, ARTICLE VIII, RENTAL AND OTHER LANDLORD - TENANT DISPUTES (SECTION 14.80).</u></b> Carried unanimously.
	<b>ITEM 14</b>  <b>Resolution 2004-25</b>	<b>Motion by Ms McNutt</b> , seconded by Mrs. Decker, that Council adopt Resolution 2004-25 entitled, <b><u>RESOLUTION OF TOWN OF LOS GATOS RESCINDING RESOLUTION 1999-14, "RESOLUTION OF THE TOWN OF LOS GATOS ADOPTING REVISED RENTAL DISPUTE RESOLUTION REGULATIONS," AND ADOPTING REVISED RENTAL DISPUTE RESOLUTION REGULATIONS.</u></b> Carried unanimously. (14.38)
<b>10:45 PM</b>	<b>ITEM 15</b>  <b>ECONOMIC VITALITY</b>	<b>ECONOMIC VITALITY PROGRAM ANNUAL UPDATE</b>  <b>Pamela Jacobs</b> , Assistant Town Manager, gave an overview of the annual report summarizing the accomplishments of 2003.
	<b>ITEM 15</b>  <b>SUGGESTIONS</b>  <b>MOTION COUNCIL ACCEPTANCE</b>	<b>Ms McNutt</b> asked that some thought be given to brightening up the downtown banners for the spring time. She also suggested measuring the current retail-commercial floor space and office space to see how quickly these are turning over.  <b>Motion by Mrs. Decker</b> , seconded by Mr. Glickman, that Council accept and file the Economic Vitality Program Annual Update. Carried unanimously. (15.37)

TIME	ITEM	ACTION ON ITEM
10:50 PM	<b>ITEM 16</b>  <b>COUNCIL MATTERS</b>	<p><b>Steve Glickman</b> praised the Police Department and Chief Seaman for the recent news article in the High School paper about the ride along program</p> <p><b>Mike Wasserman</b> spoke of the Safe Rides for Teens program operated at A Place for Teens every Friday and Saturday night. There are a group of teen volunteers to carry out this service but they are in need of adult supervision to support their work. He asked interested adults to consider offering their help.</p>
10:55 PM	<b>ITEM 17</b>  <b>MANAGER MATTERS</b>	<p>Town Manager, <b>Debra Figone</b>, spoke of the ongoing work of staff and the accomplishment of the following projects: Certification of the Housing Element; Completion of the Hillside Standards; Residential Design Guidelines; and work on the Solar Panel Issues.</p> <p><b>Sandy Decker</b> commended the work of Suzanne Davis in achieving state certification of the Housing Element.</p>
11:03 PM	<b>ADJOURNMENT</b>	<p><b>Mayor Glickman</b> adjourned this evening's meeting at 11:03 PM</p>

**ATTEST:**

Marian V. Cosgrove  
Town Clerk  
Secretary to the Redevelopment Agency